

677-602

J KEVIN ELLIS
P O BOX 1616
MORGANTOWN, WV 26507-1616

DECLARATION OF OIL AND GAS NOTICE

(Tax Map 3, Liberty District, Marshall County, West Virginia)

The undersigned hereby declares:

(1) The undersigned is the owner (or lessee) of one or more coal seams or workable coal beds as those terms are defined in Section One, Article Six, Chapter Twenty-two (Section 22-6-1) of the Code of West Virginia.

(2) The coal seam(s) or workable coal bed(s) are owned or leased partly or wholly by the undersigned lies under the surface of lands described in the Exhibit A attached hereto and made a part hereof.

(3) The undersigned desires to be given all notices of oil and gas operations provided by Sections Twelve, Thirteen, Fourteen, Twenty-three and Thirty-six of Article Six, Chapter Twenty-two (Sections 22-6-12; 22-6-13; 22-6-14; 22-6-23; and 22-6-36) of the Code of West Virginia, addressed as follows:

CONRHEIN COAL COMPANY
CONSOL PENNSYLVANIA COAL COMPANY LLC
RESERVE COAL PROPERTIES COMPANY


CONSOLIDATION COAL COMPANY
McELROY COAL COMPANY
CNX LAND RESOURCES INC.

**C/O LEATHERWOOD, INC.
1000 CONSOL ENERGY DRIVE
CANONSBURG, PA 15317-6506**

IN WITNESS WHEREOF, Conrhein Coal Company, a Pennsylvania corporation, has caused its corporate name to be subscribed hereto this 23 day of JANUARY, 2009, by **DENNIS R. McCRACKEN**, its ASST. MANAGER, by authority duly given.

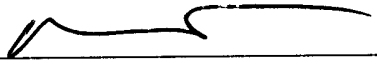
JAN PEST
MARSHALL County 09:26:08 AM
Instrument No 1265728
Date Recorded 03/13/2009
Document Type O&G
Book-Page 677-602
Recording Fee \$6.00
Additional \$6.00

CONRHEIN COAL COMPANY
a Pennsylvania corporation:

By: 
Its: ASSISTANT MANAGER

IN WITNESS WHEREOF, Consolidation Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 23 day of JANUARY, 2009, by **ROBERT P. KING**, its **VICE PRESIDENT**, by authority duly given.

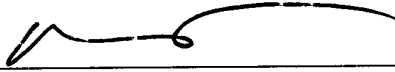
CONSOLIDATION COAL COMPANY
a Delaware corporation:

By: 

Its: **VICE PRESIDENT**

IN WITNESS WHEREOF, CONSOL Pennsylvania Coal Company LLC, a Delaware limited liability company, has caused its corporate name to be subscribed hereto this 23 day of JANUARY, 2009, by **ROBERT P. KING**, its **VICE PRESIDENT**, by authority duly given.

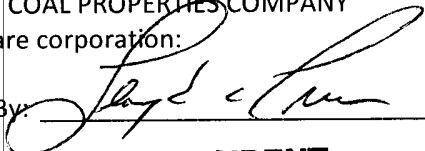
CONSOL PENNSYLVANIA COAL COMPANY LLC
a Delaware limited liability company:

By: 

Its: **VICE PRESIDENT**

IN WITNESS WHEREOF, Reserve Coal Properties Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 23 day of JANUARY, 2009, by **LLOYD C. PRICE**, its **VICE PRESIDENT**, by authority duly given.

RESERVE COAL PROPERTIES COMPANY
a Delaware corporation:

By: 

Its: **VICE PRESIDENT**

IN WITNESS WHEREOF, McElroy Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 15 day of January, 2009, by Charles T. Shayrak, its Vice President, by authority duly given.

MCELROY COAL COMPANY
a Delaware corporation:

By: Charles T. Shayrak
Its: Vice President

IN WITNESS WHEREOF, CNX Land Resources Inc., a Delaware corporation, has caused its corporate name to be subscribed hereto this 23 day of JANUARY, 2009, by **LLOYD C. PRICE**, its **VICE PRESIDENT**, by authority duly given.

CNX LAND RESOURCES INC.
a Delaware corporation:

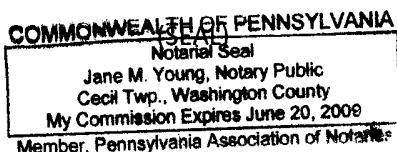
By: Lloyd C. Price
Its: **VICE PRESIDENT**

NOTE: PLEASE PROPERLY INDEX THIS DOCUMENT (1) UNDER CONSOLIDATION COAL COMPANY, CONSOL PENNSYLVANIA COAL COMPANY, RESERVE COAL PROPERTIES COMPANY, CONRHEIN COAL COMPANY, MCELROY COAL COMPANY, AND CNX LAND RESOURCES INC. AS A GRANTOR, AND (2) UNDER THE NAMES OF EACH OF THE INDIVIDUAL SURFACE OWNER NAMES LISTED ON THE ATTACHED EXHIBIT A AS GRANTORS, ACCORDING TO LAST NAME AND/OR ENTITY NAME.

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **DENNIS R. McCRACKEN**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the ASST. MANAGER of CONRHEIN COAL COMPANY, a PENNSYLVANIA corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 23 day of JANUARY, 2009.



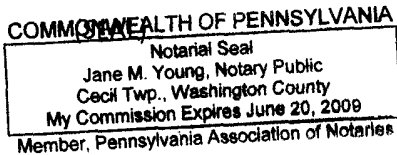
Jane M. Young
Notary Public

My Commission expires _____

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **ROBERT P. KING**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **VICE PRESIDENT** of CONSOLIDATION COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 23 day of JANUARY, 2009.



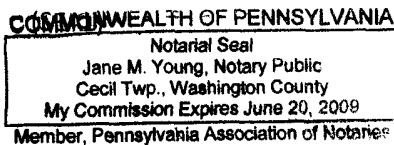
Jane M. Young
Notary Public

My Commission expires _____

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **ROBERT P. KING**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **VICE PRESIDENT** of CONSOL PENNSYLVANIA COAL COMPANY LLC, a DELAWARE limited liability company, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 23 day of JANUARY, 2009.



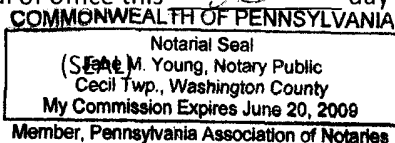
Jane M. Young
Notary Public

My Commission expires _____

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **LLOYD C. PRICE**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **VICE PRESIDENT** of RESERVE COAL PROPERTIES COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 23 day of JANUARY, 2009.



Jane M. Young
Notary Public

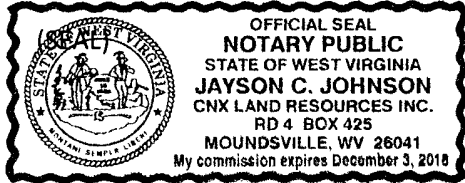
My Commission expires _____

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State of West Virginia
COMMONWEALTH OF PENNSYLVANIA

COUNTY OF Marshall

Before me, Jayson C. Johnson, a Notary Public, on this day personally appeared Charles T. Shynuk, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the Vice President of MCELROY COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 15 day of January, 2009.



Jayson C. Johnson
Notary Public

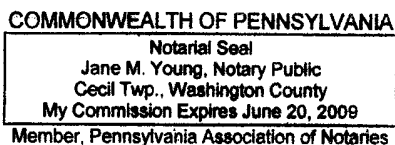
My Commission expires December 3, 2018

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared LLOYD C. PRICE, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CNX LAND RESOURCES INC., a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 23 day of JANUARY, 2009.

(SEAL)



Jane M. Young
Notary Public

My Commission expires _____

This Document Prepared By:

J. Kevin Ellis

WV Bar No. 9964

Steptoe & Johnson PLLC

1085 Van Voorhis Road

PO BOX 1616

Morgantown, WV 26507

(304) 598-8000

MO5046365

EXHIBIT A - SURFACE TRACTS (MCELROY MINE)
Tax Map 3, Liberty District, Marshall County, West Virginia

Tax Map	Parcel	Last Name	First Name	Street Address	City	State	Zip	Assessment Description	Reference
3	1	MURPHY	JOHN D ET UX					142 CAMERON RIDGE	WB48/96
3	2	HAMMERS	JACK & PAUL					22 CAMERON RIDGE	603/464
3	3	MASON	ESTHER & JOHN	RD 5 BOX 628	CAMERON	WV	26033	50.414 A SQUIRREL ALLEY	617/609
3	3.1	SCHOENE	MICHAEL	RR 5 BOX 628 B	CAMERON	WV	26033	5.056 A SQUIRREL ALLEY	727/94
3	4	MCELROY COAL COMPANY		RR5 BOX 628 B	CAMERON	WV	26033	7.05 ACRES SQUIRREL ALLEY 1975 MOBILE	671/528
3	5	MCELROY COAL COMPANY		1000 CONSOL ENERGY DR	CANONSBURG	PA	15317	5 SQUIRREL ALLEY	671/528
3	6	MURPHY	JOHN D ET UX						
3	6	HAMMERS	JACK & PAUL					93.036 CAMERON RIDGE	WB48/96
3	6	MASON	ESTHER & JOHN						
3	6.1	MURPHY	JOHN D ET UX						
3	6.1	HAMMERS	JACK & PAUL						
3	6.1	MASON	ESTHER & JOHN					8.350 A CAMERON RIDGE	WB48/96
3	7	DOBBS	DONALD B ET UX	PO BOX 53	CAMERON	WV	26033	16.91 NEAR CAMERON	544/187
3	9	YEATER	BARBARA L	RR 5 BOX 508	CAMERON	WV	26033	57.027 N CAMERON & BIG RUN	WB41/457
3	10	MCELROY COAL COMPANY		1000 CONSOL ENERGY DR	CANONSBURG	PA	15317	63.09 N CAMERON & BIG RUN	662/379
3	11	SHEPHERD	WILLIAM H & JERRY L	RD 5 BOX 512	CAMERON	WV	26033	151 1/2 N CAMERON	627/511
3	12	NEELY	ROBERT S ET UX	RD 5 BOX 504	CAMERON	WV	26033	35.845 A BIG RUN	595/58
3	13	MCELROY COAL COMPANY		1000 CONSOL ENERGY DR	CANONSBURG	PA	15317	105 ACRES BIG RUN SURFACE	670/352
3	14	MCELROY COAL COMPANY		1000 CONSOL ENERGY DR	CANONSBURG	PA	15317	101.384 A BIG RUN	672/229

MO5046477

Exhibit A - Page 1 of 1

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 23rd day of January 2009, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 13th day of March 2009 at 9:26 o'clock A.M.

TESTE:

Jan Pest

Clerk.